



IN THE UNITED STATES  
PATENT AND TRADEMARK OFFICE

**PATENT APPLICATION**

Vasyl V. Kozoriz

**CASE 1**

**Serial No.** 09/654,964 **Group Art Unit** 2834

**Filed** September 5, 2000

**Examiner** Dang D. Le

**TITLE** Super Conductive Bearing

**ASSISTANT COMMISSIONER FOR PATENTS**  
**WASHINGTON, D.C., 20231**

**SIR:**

This is in response to the Office action of August 7, 2002:  
The Examiner has stated that claims 1 through 36 are generic to a plurality of disclosed patentably distinct species comprising:

- I. Claims 1 through 12, 14 and 16 through 22, drawn to the apparatus of a magnetic bearing, classified in class 310, subclass 90.5. Figure 1.
- II. Claims 13 and 23, drawn to the apparatus of a magnetic bearing with non-equal arc stator, classified in class 310, subclass 90.5. Figure 10.
- III. Claim 15, drawn to the apparatus of a magnetic bearing with off-center stator, classified in class 310, subclass 90.5. Figure 9.
- IV. Claims 24 through 32, drawn to the apparatus of super conducting apparatus, classified in class 505, subclass 825. Figures 11 through 19.
- V. Claims 33 through 36, drawn to the method of supporting a super-conducting apparatus, classified in class 505, subclass 166.

Applicant respectfully traverses this rejection. Applicant's novel invention set in the application specification and drawings, discloses super conductive bearing apparatus for supporting a rotor with respect to a stator. As set forth in the drawings and specification the apparatus structure has loops mounted on a rotor and loops angularly mounted on a stator. Applicant in accordance with a previous telephone call makes a provisional election without prejudice of the Examiner's declared species of the above requirement I comprising claims 1 through 12, 14 and 16 through 22, drawn to the apparatus of a magnetic bearing, classified in class 310, subclass 90.5 and set forth in figure 1 of the specification without prejudice.

Applicant's attorney noted in the remarks that the Examiner attempted to reach him by telephone. Please be advised that a careful review of recorded telephone calls did not reveal any calls from the Examiner nor did the attorney receive any correspondence from the Patent Office regarding the restriction requirement in this case. Instead the correspondence was sent to the invention owner. The attorney notes that one must be careful in sending this

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231

on September 23 2002  
(Date of Deposit)

Name

*Burkhardt Marshall*

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type of correspondence to lay persons who may not understand the nature of the correspondence and tend to ignore it thereby resulting in a loss of valuable patent rights. Applicant's attorney requests that all correspondence in this case be forwarded as follows or until changed by proper notice:

Dwight A. Marshall  
Intellectual Property Attorney  
1159 Blind Brook Dr.  
Worthington, OH 43235-1206  
(614)-888-6533

If any questions should arise with respect to the above remarks, or if it would in any way expedite the prosecution of this case, applicant's attorney would appreciate a telephone call by dialing Area Code (614)-888-6533.

Respectfully,

Dwight A. Marshall  
Dwight A. Marshall, Attorney  
Reg. No. 25896  
(614)-888-6533

**SEP 23 2002**

Date: \_\_\_\_\_  
**Dwight A. Marshall**  
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